

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, JANUARY 18, 1984

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, January 18, 1984 in the City Hall Council Chambers.

ROLL CALL Present: Council Members - Murphy, Pinkerton, Snider,
Reid & Olson (Mayor)

 Absent: Council Members - None

 Also Present: City Manager Graves, Assistant City Manager
Glenn, Community Development Director
Schroeder, Public Works Director Ronsko, City
Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Rev. Robert Weishoff, Emanuel
Lutheran Church

PLEDGE The Pledge of Allegiance was led by Mayor Olson.

PRESENTATIONS

LODI ARTS COMMISSION Lodi Arts Commission Chairman, Gwin Mitchell gave a progress
report on the activities of the Lodi Arts Commission.

PROCLAMATION Mayor Olson presented a proclamation proclaiming "Catholic
Schools Week" to Walter Katnich.

CONSENT CALENDAR

REPORTS OF THE
CITY MANAGER

In accordance with report and recommendation of the City
Manager, Council, on motion of Council Member Pinkerton,
Reid second, approved the following actions hereinafter set
forth.

CLAIMS CLAIMS WERE APPROVED IN THE AMOUNT OF \$958,708.83.

MINUTES THE MINUTES OF DECEMBER 21, 1983 WERE APPROVED AS WRITTEN.

BECKMAN PARK VILLA, UNIT #2 COUNCIL APPROVED THE FINAL MAP AND SUBDIVISION DOCUMENTS FOR
TRACT NO. 1884, BECKMAN PARK VILLA, UNIT NO 2, AND DIRECTED
CITY MANAGER AND CITY CLERK TO SIGN THE SUBDIVISION
AGREEMENT AND MAP ON BEHALF OF THE CITY.

Council was apprised that Guarantee Savings, the Developers
of Beckman Park Villa, Unit No. 2, has furnished the City
with the necessary Agreements, Improvement Securities and
Fees for the proposed subdivision. This is a one-lot
condominium subdivision located on Century Boulevard, West
of Beckman Park Unit No. 1. Unit No. 2, which is the last
phase of a two-lot condominium development, will contain 37
residential units.

RES. NO. 84-007 APPROVED COUNCIL ADOPTED RESOLUTION NO. 84-007 ACCEPTING THE SUB-
DIVISION IMPROVEMENTS AND STREETS INCLUDED IN TRACT MAP NO.
1824, BECKMAN PARK VILLA SUBDIVISION.

BECKMAN PARK VILLA SUBDIVISION Improvements in Beckman Park Villa Subdivision have been
completed in substantial conformance with the requirement of
the Subdivision Agreement between the City of Lodi and
Guarantee Savings, dated September 8, 1982 and the Agreement
Addendum, dated September 8, 1982 and specifically set forth
the plans and specifications approved by the City Council.
The streets to be accepted are as follows:

STREETSLENGTH AND MILES

Chablis Drive 0.06
Century Blvd. 0.00

Total new miles of City Street 0.06

APPROVE LEASE
AND CONCESSION
AGREEMENT FOR
BASEBALL, INC.
FOR 1984

City Manager Graves presented for Council's perusal a proposed lease and concession agreement for Baseball, Inc. for 1984. The home date charge of \$25.00 should be increased to \$27.50 according to City Manager Graves who also indicated that there are some minor changes with regard to concession prices, however, in checking he feels compared to other parks where professional baseball is played the prices are in line. The gross revenue to the City less 10% of the concessions, amounts to approximately \$3,800. This figure covers City costs for field maintenance for Baseball, Inc. plus utilities and some extra weekend clean up charges. It is also felt that pro baseball operation does contribute in other ways to the City's economy and since it is a difficult operation from which to make a profit, it is the City's feeling that costs to the operator should cover only out of pocket costs to the City.

COUNCIL APPROVED THE LEASE AND CONCESSION AGREEMENT WITH BASEBALL, INC. FOR 1984 AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY.

PUBLIC HEARINGS

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Olson called for the Public Hearing to consider:

ENACTING A NEW
ORDINANCE
REGULATING THE
USE AND OPERATION
OF AMBULANCES
UPON THE PUBLIC
STREETS WITHIN
THE CITY OF
LODI

ORD. NO. 1306
INTRODUCED

A proposed Ordinance of the City of Lodi Repealing Ordinance No. 756 and Re-enacting a New Ordinance Regulating the Use and Operation of Ambulances Upon the Public Streets Within the City of Lodi. This Public Hearing was continued from City Council meeting of January 4, 1984.

The matter was introduced by the City Attorney who responded to questions as were posed by Members of the City Council. There were no persons in the audience wishing to speak on the matter and the public portion of the hearing was closed. Following additional discussion, Council Member Pinkerton moved for introduction of Ordinance No. 1306 repealing Ordinance No. 756 and Re-enacting a New Ordinance Regulating the Use and Operation of Ambulances Upon the Public Streets Within the City of Lodi. The motion was seconded by Council Member Murphy and carried by unanimous vote.

PLANNING
COMMISSION

City Manager Graves gave the following report of the Planning Commission meeting of January 9, 1984:

The Planning Commission -

ITEMS OF
INTEREST

NOMA RANCH

1. Conditionally approved the Tentative Subdivision Map of Noma Ranch, 20± acre residential project on the north side of Almond Drive (4131 East Almond Drive), one-quarter mile west of Cherokee Lane as requested by Baumbach and Piazza, Consulting Engineers on behalf of Tom M. Noma.
2. Approved the Tentative Parcel Map to divide a 22+ acre parcel at 820 South Cluff Avenue into 4 parts with Parcels "A", "B" and "C" containing 4.0 acres each and

Parcel "D" containing 10.4 acres in an area zoned M-1, Light Industrial as requested by Baumbach and Piazza, Consulting Engineers on behalf of MCP Investment Company.

COMMUNICATIONS

CITY CLERK

ABC LICENSES

Application for the following Alcoholic Beverage Licenses were received:

- a. Pizza Works
Omni Pizza Enterprises, Inc.
Karen Sue Jones, Pres.
Daniel L. Jones, Sec.
100 West Turner Road, Suites A & B
Lodi, CA 95240
On Sale Beer and Wine Eating Place
- b) Sinaloa Cafe
Flora & Jesus Villarreal
43 North Sacramento Street
Lodi, CA 95240
On Sale Beer and Wine Eating Place
- c) Happy Hooker Bait & Tackle
Lory V. Lucchesi
Jack S. Patrick
219 E. Kettleman Lane
Lodi, CA 95240
Off Sale Beer and Wine

ROBERT FULLER REAPPOINTED TO MOSQUITO ABATEMENT DISTRICT

Mayor Olson with the concurrence of the City Council, on motion of Mayor Pro Tempore Snider, Murphy second, reappointed Robert Fuller as Lodi's representative to the Mosquito Abatement District for a two year term commencing 12/31/83.

MAYOR OLSON APPOINTED TO LAFCO

City Clerk Reimche advised the Council that information had been received that Mayor Evelyn Olson was appointed as the Alternate City Member of the Local Agency Formation Commission of San Joaquin County.

COMMENTS BY CITY COUNCIL MEMBERS

Mayor Olson announced that the City of Lodi, California, advises the public, employees and job applicants that it does not discriminate on the basis of handicapped status and admission or access to or treatment of or employment in its programs and activities. The City of Lodi has designated Jerry Glenn as a contact to coordinate efforts to comply with this requirement. (Section 51.55 of the Revenue Sharing Regulations, as published in the Federal Register on October 17, 1983)

REVENUE SHARING REGULATIONS RE HANDICAPPED

FIRE DEPARTMENT APPLAUDED FOR SMOKE DETECTION PROGRAM

Following introduction of the matter by Council Member Reid, the City Council extended sincere congratulations to the Lodi Fire Department on their smoke detection program in this community.

COMMENTS BY THE PUBLIC ON NON AGENDA ITEMS REPORTS OF THE CITY MANAGER

There were no persons wishing to speak under this segment of the Agenda.

REGULAR CALENDAR The following letter was presented for Council's perusal:

110-
11313
"Ronald M. Stein, Esq.
City Attorney
City of Lodi
Post Office Box 320
Lodi, CA 95240

Dear Ron:

As we discussed on December 26, 1983, I am in the process of preparing the documentation to obtain a default judgment against the Willow Oaks Industrial Park for foreclosure on the two parcels owned by it. The request for Default Judgment by the Court must be accompanied by declarations setting forth the amounts owing for principal, interest and penalties.

Section 8833 of the Streets and Highways Code reads as follows:

When any foreclosure actions are ordered, the tax collector shall be credited upon the assessment rolls then in his hands for the amount charged against him on account of the assessments or reassessments to be sued on and he shall be relieved of further duty in regard thereto.

Jack Prowse has indicated that, pursuant to this section, he should be credited with the delinquent amounts and relieved of further duty to collect them. He also indicated, based on this section, an unwillingness to partake in future activities concerning the foreclosure action. He, then, cannot, and, indeed, should not, sign the declarations in support of the default judgment.

The procedure to implement Section 8833 is as follows:

The City Council should pass a resolution requesting that the County Board of Supervisors order the County Auditor to cancel the assessments and credit the tax collector with the amounts owing on principal and interest, pursuant to the Section. The City then becomes responsible for collecting the assessments and the City Finance Director can sign the required Declaration. Paul Heurlin, County Auditor, is, essentially, in agreement with Jack on this.

Therefore, if you would prepare and have the City Council pass such a resolution as soon as possible, and then forward it to the County Board for their passage, we can move on with the foreclosure process.

If you have any questions or comments, or would like to further discuss this matter, please feel free to contact me.

Very truly yours,

Ray W. Sherman, Jr.
Profession Corporation"

RES. NO. 84-005
ADOPTED

RESOLUTION
ORDERING FORE-
CLOSURE ON
DELINQUENT
ASSESSMENTS

Following Council discussion with questions being posed to the City Attorney, Council, on motion of Council Member Murphy, Snider second, adopted Resolution No. 84-005, a Resolution Ordering Foreclosure of Delinquent Assessments and directing that the Tax Collector shall be Credited Upon the Assessment Rolls Then in His Hands for the Amount Charged Against Him on Account of the Assessments to be sued on, Thereby Relieving the Tax Collector of Further Duty in Regard Thereto. The motion carried by unanimous vote.

PRESENTATION
OF PARTIAL

A presentation of the Partial Capital Improvement Program was made by staff. Documents were passed out to Council for

Continued January 18, 1984

reviewed by Council. Council was further apprised that similar sheets on public facilities and streets would be forwarded to Council at a later date. No formal action was taken by Council on this matter following the discussion.

RES. NO. 84-006 Following introduction of the matter by Staff, on motion of Council Member Pinkerton, Reid second, Council adopted Resolution No. 84-006 authorizing the City Manager to execute all necessary documents for FAU Project MY 314 (1), South Stockton Street, Kettleman Lane to Lodi Avenue. The motion carried by unanimous vote.

FAU PROJECT
MY 314 (1)
SOUTH STOCKTON
STREET, KETTLEMAN
LANE TO LODI AVE.

ORDINANCES

ORDINANCE RE-ZONING 4131 E. ALMOND DRIVE-NOMA RANCH FROM R-2 SINGLE FAMILY RESIDENTIAL TO P-D 26

CC 53(5)
CC 149

An Ordinance Rezoning a 20+ acre parcel on the north side of Almond Drive, Lodi, $\frac{1}{4}$ mile west of Cherokee Lane (4131 E. Almond Drive-Noma Ranch) from R-2, Single Family Residential to P-D (26), Planned Development District No. 26 with conditions, having been introduced at a regular meeting of the Lodi City Council held January 4, 1984, was brought up for passage on motion of Mayor Pro Tempore Snider, Murphy second. Second reading was omitted after reading by title and the Ordinance was then adopted and ordered to print by the following vote:

ORD. NO. 1304 Ayes: Council Member - Reid, Snider, Murphy,
ADOPTED Pinkerton & Olson (Mayor)

Noes: Council Member - None

Absent: Council Member - None

ORD. AMENDING SECTION 27-13(b) OFF-STREET PARKING REQUIREMENTS

CC 149

An Ordinance amending Section 27-13 (b), Off-Street Parking Requirements of the Municipal Code, having been introduced at a regular meeting of the Lodi City Council, held January 4, 1984 was brought up for passage on motion of Mayor Pro Tempore Snider, Murphy second. Second reading of the Ordinance was omitted after reading by title and the Ordinance was then adopted and ordered to print by the following vote:

ORD. NO. 1305 Ayes: Council Member - Snider, Murphy, Reid,
ADOPTED Pinkerton & Olson (Mayor)

Noes: Council Members - None

Absent: Council Members - None

ADJOURNMENT There being no further business to come before the Council Mayor Olson adjourned the meeting at approximately 9:30 p.m.

Attest:

Alice M. Reimche
Alice M. Reimche
City Clerk